

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

ANDRES LOZANO,
an individual,

Case No.: 0:23-cv-60038

Plaintiff,

vs.

HONDA FINANCE CORPORATION,
d/b/a HONDA FINANCIAL SERVICES,

Defendant.

JOINT SCHEDULING REPORT AND JOINT DISCOVERY PLAN

Pursuant to Fed. R. Civ. P. 26 and S.D. Fla. L.R. 16.1 and the Court's Order Requiring Scheduling Report and Certificates of Interested Parties [D.E. 6], the parties submit their Joint Scheduling Report and Joint Discovery Plan. The parties report as follows:

Joint Discovery Plan Pursuant to Rule 26(f)(3)

Counsel discussed the nature of the discovery, the form in which discoverable information was kept, and the manner in which discovery would be produced.

In completing this Discovery Plan, the parties were mindful of Local Rule 16.1(a) and have proposed the schedule below in compliance the periods established in the Rule for a Track B standard case. Pursuant to Fed. R. Civ. P. 26(f)(3) and Local Rule 16.1(a), the parties determined the following:

(a) **Disclosures:** The parties have made disclosures.

- (b) **Scope of Discovery:** The parties will conduct discovery in connection with the issues raised in the pleadings. The parties will endeavor to complete discovery by October 30, 2023.
- (c) **Electronically-Stored Information:** Plaintiff and Defendant have indicated that they have Electronically Stored Information (“ESI”) relevant to this action. The parties will produce ESI in .pdf format. Native files will also be sent when providing an image file is not feasible (i.e. movie and video files, etc., if any).
- (d) **Protection of Confidential Materials:** The parties do not anticipate that a confidentiality agreement will be necessary to prohibit confidential, trade secret, and other protected materials of the parties from dissemination into the public domain. The parties will work together, however, on a confidentiality agreement which will be submitted to the Court for approval should it be necessary.
- (e) **Limitations on Discovery:** The parties have agreed to the limits on depositions and written discovery set forth in the Rules, except that 10 hours shall be allowed for expert witness depositions. In the event there is a need for additional discovery beyond the limits in the Rules, the parties will seek the Court’s approval.
- (f) **Other Orders:** The parties do not anticipate any other order pursuant to Rule 26 or Local Rule 16 at this time.

Joint Scheduling Report Pursuant to Local Rule 16.1

(A) Likelihood of Settlement

Fair. The parties will discuss settlement and will attend court-ordered mediation.

(B) Likelihood of Appearance of Additional Parties

At this time, the parties do not anticipate adding additional parties but reserve the right to do so as appropriate.

(C) Proposed Limits on Time

The parties agree that this case be placed on a Standard Case Management Track pursuant to S.D. Fla. Local Rule 16.1. The parties propose the following deadlines:

- (i) Deadline to join other parties and to amend the pleadings: May 15, 2023;
- (ii) Deadline to file pretrial dispositive motions: October 6, 2023; and
- (iii) Deadline to complete discovery: October 30, 2023.

(D) Proposals for the Formulation and Simplification of Issues

At this time, the parties have not made any decisions regarding simplification of issues or eliminating claims and defenses.

(E) Amendments to the Pleadings

Unknown at this time.

(F) Possibility of Obtaining Admissions of Fact and of Documents

Unknown at this time. However, the parties will confer after discovery has been conducted regarding the possibility of obtaining admissions of fact and of documents, electronically stored information or things which will avoid unnecessary proof, stipulations regarding authenticity of documents, and the need for advance rulings from the Court on admissibility of evidence.

(G) **Suggestions for the Avoidance of Unnecessary Proof and of Cumulative Evidence**

Unknown at this time. However, the parties will confer after discovery has been conducted regarding suggestions for the avoidance of unnecessary proof and of cumulative evidence.

(H) **Referral of Matters to Magistrate Judge or Master**

The parties agree to the referral of discovery matters to the Magistrate Judge.

(I) **Preliminary Estimate of Time Required for Trial**

The parties anticipate that 3 days are needed for trial.

(J) **Requested Date for Trial**

The parties expect to be ready for trial period commencing March 2024.

(K) **Electronically Stored Information**

Plaintiff and Defendants have indicated that they have Electronically Stored Information (“ESI”) relevant to this action. The parties anticipate discovery of electronically stored information and agree to produce such information in .pdf format. Native files will also be sent when providing an image file is not feasible (i.e. move and video files, etc., if any).

(L) **Other Matters that Might Be Helpful to the Court**

None known at this time.

Respectfully submitted this 16th day of March 2023.

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